IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 1030 (SS) of 2003
(Old No. 11110/90)

Ramesh Chandra,
S/o Sri Joyti Ram,
R/o Gram Fatehpur,
Post – Harbartpur,
District – Dehradun. **……Petitioner.**

Versus

1. State of U.P. through Secretary, to Government in the Department of Udyan and Khadya Prasanskaran, Civil Secretariat, Lucknow
2. Director, Udyan and Phalaupyog (Hills), Ranikhet.
3. Project Manager, Bharat Itli Phal Vikas Pariyojna, Dehradun.

……Respondents

Hon'ble M.M. Ghildiyal, J

Heard Sri N. S. Negi, learned counsel for the petitioner and Sri N.P. Shah, learned Standing Counsel for State of Uttarakhand on behalf of respondents.

By means of this writ petition, the petitioner has prayed for the following reliefs:

1. *Issue a writ order or direction in the nature of Certiorari to quash the order dated 13.07.1990 contained in Annexure 2.*
2. *Issue a writ order or direction in the nature of Mandamus restrain the respondent authorities not to give effect to the impugned order dated 13.07.1990 contained in Annexure no. 2 to the writ petition.*
3. *Issue a writ order or direction in the nature of Mandamus restrain the respondent authorities not to*

terminate the services of the petitioner and to continue him on the post of peon and

4. *grant any such relief which this Hon'ble court may deem fit and proper in the circumstances of the case and also allow the costs of the petition.*

Learned counsel for the parties have submitted that controversy raised in the present writ petition has already been settled by this court vide judgment and order dated 01.08.2006 passed in Writ Petition No. 1029 (SS) of 2003 (Rajendra Prasad and others Vs. State of U.P. and others).

In the aforesaid writ petition, petitioners have challenged the order dated 13.07.1990 passed by Joint Secretary, Udyan and Khadya Prasanskaran, Government of U.P., Lucknow and in the present writ petition also, petitioner has challenged the order dated 13.07.1990 passed by Joint Secretary, Udyan and Khadya Prasanskaran, Government of U.P., Lucknow.

In the aforesaid circumstances, writ petition is disposed of on the same terms and observations made in the judgment and order dated 01.08.2006 passed by this court in Writ Petition No. 1029 (SS) of 2003 (Rajendra Prasad and others Vs. State of U.P. and others).

(M.M. Ghildiyal, J)

March 15, 2007
Sksharma